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09/107,083	06/29/1998	CHRISTOPHER M. WHITE	MS1-260US	7534

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ART UNIT	PAPER NUMBER
2611	

DATE MAILED: 03/15/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>08 December 2001</u> .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5,7-29 and 31-36* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5,7-29 and 31-36* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

    1.☐ Certified copies of the priority documents have been received.

    2.☐ Certified copies of the priority documents have been received in Application No. _____ .

    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a)☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4)☐ Interview Summary (PTO-413) Paper No(s). _____ .
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: .

Response to Arguments

1.   Applicant's arguments with respect to claims 1-5, 7-29 and 31-36 have been considered

but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

NV 3.   Claims 1-5, 7-29, and 31-36 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Florin (US 5,583,560) in view of Killian (US 6,163,316).

Regarding claim 1, Florin discloses listing displayed channels in response to the user

having selected favorites (see FIG. 30; col. 19, lines 25-34); Florin also shows displaying the

favorite channels as sub-pictures (FIG. 33 and col. 20, lines 43-67). Florin fails to disclose

generating the primary display screen as a web browser program. However, Killian discloses

displaying television channel on web page. For instance, if the viewer selects CNN for viewing,

platform 12 uses the channel mapping information to associate the channel carrying CNN with a

URL for an Internet web site associated with CNN (see col. 5, lines 1-29). Therefore, it would

have been obvious to one of ordinary skill in the art to modify Florin by displaying television

channel on web page in order to allow the viewers quickly surf channel to see their desired

program without tuning to every single channel.

Regarding claims 2 and 3, Florin discloses the most frequent television programs

watched by viewers as determined by the CPU (col. 19, lines 25-47).

Regarding claim 4, Florin discloses selecting the television channel from sub-pictures

favorite programs (col. 21, lines 1-17).

Regarding claim 5, Florin discloses that user can directly enter television channel numbers on a remote control 60 by pressing a single, double or triple digit number on the numeric keypad panel 176 (col. 12, lines 48-51).

Regarding claims 7-10, Florin discloses a currently selected picture is highlighted by a highlight box 380 as shown in FIG. 33-35. Florin also discloses that by pressing the left/right/up/down arrow button 148 on remote control the highlighting 380 is moved one picture to the left/right/up/down, and by pressing the pix button 144 a second time causes only the last highlighted channel appears in full screen and other channels disappear (col. 21, lines 3-17).

Regarding claim 11, Florin discloses the step of depressing of the pix button 144 on the remote control device for display of a pix display 381 (col. 20, lines 22-24).

Regarding claim 12, Florin shows the selected channels within the list in an order of number channel (FIG. 30).

Regarding claims 13 and 14, Florin discloses that user may watch a motion picture while viewing multiple other programs simultaneously (col. 20, lines 37-40). Florin also discloses that the window 375 represents a full motion display of the currently selected program (col. 20, lines 46-47).

Regarding claims 15 and 17, Florin discloses a user viewing the pix display 381 perceives each of the 12 small picture-in-picture windows as sequential representative images of every N frames per window (col. 20, lines 43-46). Florin also discloses the pix display 381 displays the 12 programs nearest to the last selected program from the "all program" category (col. 20, lines 61-65).

Regarding claim 16 and 18, Florin discloses the CPU updates the system memory periodically and still provides quick access to the viewer (col. 10-11, lines 45-15).

Regarding claim 19, Florin shows on FIG. 34 and 35 illustrating selection of a different pix program to view in the central picture-in-picture window 375.

Regarding claims 20, Florin et al discloses a method comprising steps: generating a primary display screen 381 having multiple small display screens, each small screen corresponding to a recently selected channel (nearest to the last selected program); and applying a "focus" to one of the small display screens to designate the active one 380 and containing a currently selected television channel 375 and to differentiate the active small display screen from remaining ones of the small display screens (see FIGS 33-34 and column 20, lines 43-68 and column 21, lines 1-7). Florin fails to teach displaying the primary display screen as a web browser. However, Killian discloses displaying television channel on web page. For instance, if the viewer selects CNN for viewing, platform 12 uses the channel mapping information to associate the channel carrying CNN with a URL for an Internet web site associated with CNN (see col. 5, lines 1-29). Therefore, it would have been obvious to one of ordinary skill in the art to modify Florin by displaying television channel on web page in order to allow the viewers quickly surf channel to see their desired program without tuning to every single channel.

Regarding claim 21, Florin further discloses the step of enlarging the active small display screen to full screen mode and removing the remaining small display screens. For instance, the user presses the select button 155 for displaying the current selected program in full screen, and presses the pix button 144 a second time causing the pix display 381 to disappear and the current selected program appears in full screen (see Fig 34, column 13-17).

Regarding claim 22, Florin further discloses a method comprising the steps of: generating a highlight box to enclose the active small display screen (see FIG 34, col. 21, lines 3-7); and moving the highlight box from the active small display screen to a second small

display screen to render active the second small display screen and to de-select the active

small display screen (see column 21, lines 3-13).

Regarding claim 23, Florin further discloses the steps of displaying a live television broadcast in

the active small display screen 365, and displaying "still images" (icon) of corresponding

channels (programs) 315, 317 in the remaining small display screen. (See Fig. 29 and column

19, lines 1-12).

Regarding claim 24, Florin further discloses the step of updating the programs (see

column 11, lines 5-14).

Regarding claim 25, Florin further discloses the step of updating the programs in

response to activation of button 140 on a remote control (see Figures 28-29 and column 11,

lines 5-14 and column 18, lines 57-61).

Regarding claim 26, Florin discloses a method comprising steps: generating a primary

display screen 381 having multiple small display screens, each small screen corresponding to a

recently selected channel (nearest to the last selected program) (see column 20, lines 43-68);

and displaying "still images" (icon) of corresponding channels (programs) 315, 317 in the

remaining small display screen. (See Fig. 29 and column 19, lines 1-12). Florin fails to teach

displaying the primary display screen as a web browser. However, Killian discloses displaying

television channel on web page. For instance, if the viewer selects CNN for viewing, platform 12

uses the channel mapping information to associate the channel carrying CNN with a URL for an

Internet web site associated with CNN (see col. 5, lines 1-29). Therefore, it would have been

obvious to one of ordinary skill in the art to modify Florin by displaying television channel on web

page in order to allow the viewers quickly surf channel to see their desired program without

tuning to every single channel.

Regarding claim 27, Florin further discloses the step of updating the programs (see column 11, lines 5-14).

Regarding claim 28, Florin further discloses the step of displaying a live television broadcast in the active small display screen 365 (see Fig. 29 and column 19, lines 1-12).

Regarding claim 29, Florin discloses a client system capable of receiving multiple television channels, comprising CPU 63, a memory 65 is used to store an operating system and playback software, fonts, sounds (col. 9, lines 61-64) for performing the steps of listing displayed in response to the user having selected favorites (see FIG. 30; col. 19, lines 25-34), displaying the favorite channels as sub-pictures (FIG. 33 and col. 20, lines 43-67). Florin fails to disclose generating the primary display screen as a web browser program. However, Killian discloses displaying television channel on web page. For instance, if the viewer selects CNN for viewing, platform 12 uses the channel mapping information to associate the channel carrying CNN with a URL for an Internet web site associated with CNN (see col. 5, lines 1-29). Therefore, it would have been obvious to one of ordinary skill in the art to modify Florin by displaying television channel on web page in order to allow the viewers quickly surf channel to see their desired program without tuning to every single channel.

Regarding claim 31, Killian as modified Florin discloses displaying television program on web page (see Killian, col. 5, lines 21-27).

Regarding claim 32, Killian as modified Florin further discloses the Internet including global, regional, local or other suitable computer network coupled to platform 12 (see Killian, col. 3, lines 43-45).

Regarding claim 33, Florin discloses a computer-readable medium having computer executable instructions (software) for performing the steps (col. 9, lines 61-65) of listing displayed in response to the user having selected favorites (see FIG. 30; col. 19, lines 25-34),

displaying the favorite channels as sub-pictures (FIG. 33 and col. 20, lines 43-67). Florin fails to disclose generating the primary display screen as a web browser program. However, Killian discloses displaying television channel on web page. For instance, if the viewer selects CNN for viewing, platform 12 uses the channel mapping information to associate the channel carrying CNN with a URL for an Internet web site associated with CNN (see col. 5, lines 1-29). Therefore, it would have been obvious to one of ordinary skill in the art to modify Florin by displaying television channel on web page in order to allow the viewers quickly surf channel to see their desired program without tuning to every single channel.

Regarding claim 34, see claim 20 above.

Regarding claim 35, see claim 26 above.

Regarding claim 36, Florin et al discloses that in a set-top box capable of receiving and presenting both television and web content (on-line services) on a television (see column 23, lines 46-53 and Fig. 44-50), a user interface executing on the television comprising a primary display screen 381 having multiple small display screens, each small display screen corresponding to a channel recently selected (nearest to the last selected program) by a user (column 20, lines 43-68), the user interface also having a movable focus 380 to designate one of small display screens from remaining ones of the small display screens 381 (see FIG. 33-34 and column 20, lines 43-68 and column 21, lines 1-7). Florin fails to teach displaying the primary display screen as a web browser. However, Killian discloses displaying television channel on web page. For instance, if the viewer selects CNN for viewing, platform 12 uses the channel mapping information to associate the channel carrying CNN with a URL for an Internet web site associated with CNN (see col. 5, lines 1-29). Therefore, it would have been obvious to one of ordinary skill in the art to modify Florin by displaying television channel on web page in order to

allow the viewers quickly surf channel to see their desired program without tuning to every single channel.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ngoc K. Vu whose telephone number is 703-306-5976. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile can be reached on 703-305-4380. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-0377.

NV
March 10, 2002

CHRIS GRANT
PRIMARY EXAMINER